

AO 440 (Rev. 10/93) Summons in a Civil Action

United States District Court
District of Massachusetts

MAKIKO YAMASHITA,

Plaintiff,

v.

KAIJU STUDIOS LLC, DAVID BORDEN,
RANDY BORDEN AND FENWAY STUDIOS

Defendants.

SUMMONS IN A CIVIL CASE

Civil Action No.:

05 10298 RWZ

TO:

Mr. David Borden
325 Huntington Ave., Suite 10,
Boston, MA 02115

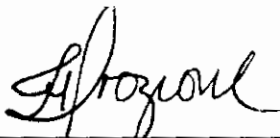
You are hereby summoned and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Heidi E. Harvey (#548114)
FISH & RICHARDSON P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070

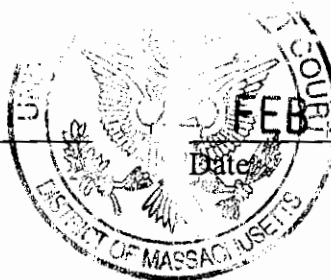
an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

Clerk



(By) Deputy Clerk



FEB 15 2005

AFFIDAVIT OF SERVICE

State of Massachusetts

County of Suffolk

U.S.D.C. Court

Case Number: 05 10298 RWZ

Plaintiff:

Makiko Yamashita,

vs.

Defendant:

Kaiju Studios LLC, David Borden, Randy Borden and Fenway Studios

For:

Fish and Richardson, P.C.

225 Franklin Street

Boston, MA 02110

Received by STOKES & LEVIN on the 7th day of June, 2005 at 11:38 am to be served on **Mr. David Borden: 988 Memorial Drive Apt 182 Cambridge, MA 02138.**

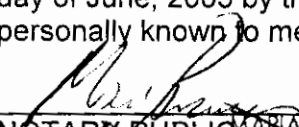
I, Jason Rudy, being duly sworn, depose and say that on the **7th day of June, 2005 at 8:50 pm, I:**

Substitute Served by leaving a true copy of this **Summons In A Civil Case; Complaint; jury Demand** with the date and hour of service endorsed thereon by me, at the within named person's usual place of business, to a person employed therein to wit: Randy Borden as the manager and informing said person of the contents thereof.

Description of Person Served: Age: 35, Sex: M, Race/Skin Color: White, Height: 5'10, Weight: 190, Hair: Brown, Glasses: N

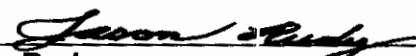
I certify that I am over the age of 18 and have no interest in the above action.

Subscribed and Sworn to before me on the 12th day of June, 2005 by the affiant who is personally known to me.


NOTARY PUBLIC



MARIA BARROS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 21, 2010


Jason Rudy
Civil Process Division

STOKES & LEVIN
60 State Street
Boston, MA 02109
(877) 786-5374

Our Job Serial Number: 2005003057
Ref: Heidi E. Harvey, esq
Service Fee: _____